



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2164

DATE SCANNED 7-4-11

SCANNER NO. 2

SCAN OPERATOR IMP

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SECRETARIAT

2010 SEP 14 A 10:15

September 13, 2010

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC for PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/SARI PICKERALL *NP*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 JULY
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 July Quarterly Report in accordance with 2 U.S.C. § 434(a). The July Quarterly Report was due on July 15, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date or failed to file the report. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2010 JULY QUARTERLY Not Election Sensitive 07/15/2010 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2155	C00467365	AMODEI FOR NEVADA	AMODEI, MARK EUGENE	NICOLA NEILON	\$166,585	0		Not Filed	\$55,528 (est)	\$2,970
2156	C00470963	BURTON FOR CONGRESS	BURTON, ROBERT	ROBERT CLAUHS	\$230,380	0	8/1/2010	17	\$18,012	\$195
2157	C00465120	CARLOS MAY FOR CONGRESS	MAY, CARLOS ANDREW	BEN ROEGER	\$164,784	0	7/21/2010	6	\$26,366	\$320
2158	C00469833	CITIZENS TO ELECT ROBERT MARSHALL	MARSHALL, ROBERT ALAN	ROBERT MARSHALL	\$217,179	1		Not Filed	\$54,295 (est)	\$3,712
2159	C00464412	COMMITTEE TO ELECT CHICK HEILESON TO CONGRESS	HEILESON, CHICK	CORBET R. MISKIN	\$254,203	0	8/27/2010	Not Filed	\$49,612	\$990

2161	C00462929	COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS	VEREEN, RODERICK D	CHUCK MOGBO	\$154,287	0	7/24/2010	9	\$23,166	\$155
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2163	C00470179	DR DAN 4 CONGRESS	EICHENBAUM, DAN	BRIAN UMBARGER	\$233,049	1		Not Filed	\$77,683 (est)	\$4,812
2164	C00208819	EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL		WILLIAM J. WEIR	\$999,035	0	9/10/2010	Not Filed	\$663,847	\$10,500

2167	C00463653	FRIENDS OF STEVEN WELCH	WELCH, STEVEN D	JEFFREY MICHAEL SPARLING	\$1,600,270	0		Not Filed	\$533,423 (est)	\$10,450
2168	C00462325	GAL YEAN FOR CONGRESS	GAL YEAN, JAMES D	CHRISTOPHER STEWART CAULEY	\$273,846	0		Not Filed	\$68,462 (est)	\$2,970
2169	C00477943	GUNNER DELAY FOR CONGRESS	DELAY, ROBERT GUNNER	MICHAEL DAVID COLLINS	\$153,356	0		Not Filed	\$76,678 (est)	\$3,850
2170	C00354613	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE		MARTIN MASCUILLI	\$113,995	1	7/22/2010	7	\$21,443	\$181

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2171	C00233049	LABORERS INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE		JOSEPH R. LIBONATI	\$103,366	0	7/29/2010	14	\$7,750	\$125
2172	C00426320	LIBERTARIAN PARTY OF INDIANA		TODD SINGER	\$163,890	1	7/29/2010	14	\$31,621	\$600
2174	C00043463	MANUFACTURED HOUSING INSTITUTE PAC		RAE ANN BEVINGTON	\$192,689	0	8/13/2010	29	\$15,621	\$255
2175	C00419986	MONTEREY COUNTY DEMOCRATIC CENTRAL COMMITTEE FEDERAL		HELEN E. CARLIN	\$336,332	0	7/22/2010	7	\$46,115	\$340
2176	C00086348	NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC		MICHAEL F. HARRIS	\$102,671	0	7/21/2010	6	\$49,471	\$320
2177	C00238204	PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC		DR. PARVEZ SHAH	\$107,285	0	7/22/2010	7	\$14,386	\$145
2178	C00355784	ROBINSON COMMITTEE LLC	ROBINSON, JACK E	JACK E. ROBINSON	\$1,144,604	1	7/31/2010	16	\$4,018	\$131

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation - 2010)
 July Quarterly Report for the Administrative)
 Fine Program:)
 MANUFACTURED HOUSING) AF# 2174
 INSTITUTE PAC, and BEVINGTON, RAE)
 ANN as treasurer;)

BURTON FOR CONGRESS, and) AF# 2156
 ROBERT CLAUHS as treasurer;)
 ROBINSON COMMITTEE LLC, and) AF# 2178
 JACK E ROBINSON as treasurer;)
 LABORER'S INTERNATIONAL UNION) AF# 2171
 OF NO AMERICA LOCAL NO 17)
 POLITICAL LEAGUE, and JOSEPH R)
 LIBONATI as treasurer;)
 LIBERTARIAN PARTY OF INDIANA,) AF# 2172
 and TODD SINGER as treasurer;)

COMMITTEE TO ELECT RODERICK) AF# 2161
 VEREEN FOR CONGRESS, and CITUCK)
 MOGBO as treasurer;)
 INT LONGSHOREMENS ASSOC (ILA)) AF# 2170
 LOCAL 1291 POLITICAL ACTION)
 COMMITTEE, and MARTIN MASCUILLI)
 as treasurer;)
 MONTEREY COUNTY DEMOCRATIC) AF# 2175
 CENTRAL COMMITTEE FEDERAL, and)
 HELEN E CARLIN as treasurer;)
 PAKISTANI AMERICAN PUBLIC) AF# 2177
 AFFAIRS COMMITTEE PAK-PAC, and)
 DR. PARVEZ SHAH as treasurer;)
 CARLOS MAY FOR CONGRESS, and) AF# 2157
 ROEGER, BEN as treasurer;)
 NATIONAL ASSOCIATION FOR) AF# 2176
 UNIFORMED SERVICES PAC, and)
 HARRIS, MICHAEL F. as treasurer;)

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AMODEI FOR NEVADA, and NICOLA) AF# 2155
NEILON as treasurer;)
CITIZENS TO ELECT ROBERT) AF# 2158
MARSHALL, and ROBERT MARSHALL)
as treasurer;)
COMMITTEE TO ELECT CHICK) AF# 2159
HEILESON TO CONGRESS, and)
CORBET R MISKIN as treasurer;)

DR DAN 4 CONGRESS, and BRIAN) AF# 2163
UMBARGER as treasurer;)
EMPIRE STATE REGIONAL COUNCEL) AF# 2164
OF CARPENTERS POLITICAL ACTION)
FUND - FEDERAL, and WEIR, WILLIAM)
J as treasurer;)

FRIENDS OF STEVEN WELCH, and) AF# 2167
JEFFREY MICHAEL SPARLING as)
treasurer;)
GALYEAN FOR CONGRESS, and) AF# 2168
CAULEY, CHRISTOPHER STEWART as)
treasurer;)
GUNNER DELAY FOR CONGRESS, and) AF# 2169
MICHAEL DAVID COLLINS as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election

Commission, do hereby certify that on September 15, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 13, 2010, on the following committees:

AF#2174 Decided by a vote of 6-0 to: (1) find reason to believe that MANUFACTURED HOUSING INSTITUTE PAC, and BEVINGTON, RAE ANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2156 Decided by a vote of 6-0 to: (1) find reason to believe that BURTON FOR CONGRESS, and ROBERT CLAUHS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2178 Decided by a vote of 6-0 to: (1) find reason to believe that ROBINSON COMMITTEE LLC, and JACK E ROBINSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2171 Decided by a vote of 6-0 to: (1) find reason to believe that LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE, and JOSEPH R LIBONATI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2172 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2161 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS, and CHUCK MOGBO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2170 Decided by a vote of 6-0 to: (1) find reason to believe that INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE, and MARTIN MASCULLI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2175 Decided by a vote of 6-0 to: (1) find reason to believe that MONTEREY COUNTY DEMOCRATIC CENTRAL COMMITTEE FEDERAL, and HELEN E CARLIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2177 Decided by a vote of 6-0 to: (1) find reason to believe that PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC, and DR. PARVEZ SHAH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2157 Decided by a vote of 6-0 to: (1) find reason to believe that CARLOS MAY FOR CONGRESS, and ROEGER, BEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2176 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC, and HARRIS, MICHAEL F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2155 Decided by a vote of 6-0 to: (1) find reason to believe that AMODEI FOR NEVADA, and NICOLA NEILON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2158 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS TO ELECT ROBERT MARSHALL, and ROBERT MARSHALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2159 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT CHICK HEILESON TO CONGRESS, and CORBET R MISKIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2163 Decided by a vote of 6-0 to: (1) find reason to believe that DR DAN 4 CONGRESS, and BRIAN UMBARGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2164 Decided by a vote of 6-0 to: (1) find reason to believe that EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL, and WEIR, WILLIAM J as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2167 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF STEVEN WELCH, and JEFFREY MICHAEL SPARLING as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2168 Decided by a vote of 6-0 to: (1) find reason to believe that GALYEAN FOR CONGRESS, and CAULEY, CHRISTOPHER STEWART as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2169 Decided by a vote of 6-0 to: (1) find reason to believe that GUNNER DELAY FOR CONGRESS, and MICHAEL DAVID COLLINS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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September 15, 2010
Date

Attest:

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation - 2010)
 July Quarterly Report for the Administrative)
 Fine Program:)
 MANUFACTURED HOUSING) AF# 2174
 INSTITUTE PAC, and BEVINGTON, RAE)
 ANN as treasurer;)

BURTON FOR CONGRESS, and) AF# 2156
 ROBERT CLAUHS as treasurer;)
 ROBINSON COMMITTEE LLC, and) AF# 2178
 JACK E ROBINSON as treasurer;)
 LABORER'S INTERNATIONAL UNION) AF# 2171
 OF NO AMERICA LOCAL NO 17)
 POLITICAL LEAGUE, and JOSEPH R)
 LIBONATI as treasurer;)
 LIBERTARIAN PARTY OF INDIANA,) AF# 2172
 and TODD SINGER as treasurer;)

COMMITTEE TO ELECT RODERICK) AF# 2161
 VEREEN FOR CONGRESS, and CHUCK)
 MOGBO as treasurer;)
 INT LONGSHOREMENS ASSOC (ILA)) AF# 2170
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 COMMITTEE, and MARTIN MASCUILLI)
 as treasurer;)
 MONTEREY COUNTY DEMOCRATIC) AF# 2175
 CENTRAL COMMITTEE FEDERAL, and)
 HELEN E CARLIN as treasurer;)
 PAKISTANI AMERICAN PUBLIC) AF# 2177
 AFFAIRS COMMITTEE PAK-PAC, and)
 DR. PARVEZ SHAH as treasurer;)
 CARLOS MAY FOR CONGRESS, and) AF# 2157
 ROEGER, BEN as treasurer;)
 NATIONAL ASSOCIATION FOR) AF# 2176
 UNIFORMED SERVICES PAC, and)
 HARRIS, MICHAEL F. as treasurer;)

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AMODEI FOR NEVADA, and NICOLA) AF# 2155
NEILON as treasurer;)
CITIZENS TO ELECT ROBERT) AF# 2158
MARSHALL, and ROBERT MARSHALL)
as treasurer;)
COMMITTEE TO ELECT CHICK) AF# 2159
HEILESON TO CONGRESS, and)
CORBET R MISKIN as treasurer;)

DR DAN 4 CONGRESS, and BRIAN) AF# 2163
UMBARGER as treasurer;)
EMPIRE STATE REGIONAL COUNCIL) AF# 2164
OF CARPENTERS POLITICAL ACTION)
FUND - FEDERAL, and WEIR, WILLIAM)
J as treasurer;)

FRIENDS OF STEVEN WELCH, and) AF# 2167
JEFFREY MICHAEL SPARLING as)
treasurer;)
GALYEAN FOR CONGRESS, and) AF# 2168
CAULEY, CHRISTOPHER STEWART as)
treasurer;)
GUNNER DELAY FOR CONGRESS, and) AF# 2169
MICHAEL DAVID COLLINS as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 15, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 13, 2010, on the following committees:

AF#2174 Decided by a vote of 6-0 to: (1) find reason to believe that MANUFACTURED HOUSING INSTITUTE PAC, and BEVINGTON, RAE ANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2156 Decided by a vote of 6-0 to: (1) find reason to believe that BURTON FOR CONGRESS, and ROBERT CLAUHS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2178 Decided by a vote of 6-0 to: (1) find reason to believe that ROBINSON COMMITTEE LLC, and JACK E ROBINSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2171 Decided by a vote of 6-0 to: (1) find reason to believe that LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE, and JOSEPH R LIBONATI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2172 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2161 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT RODERICK VEREEN FOR CONGRESS, and CHUCK MOGBO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2170 Decided by a vote of 6-0 to: (1) find reason to believe that INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE, and MARTIN MASCUILLI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2175 Decided by a vote of 6-0 to: (1) find reason to believe that MONTEREY COUNTY DEMOCRATIC CENTRAL COMMITTEE FEDERAL, and HELEN E CARLIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2177 Decided by a vote of 6-0 to: (1) find reason to believe that PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC, and DR. PARVEZ SHAH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2157 Decided by a vote of 6-0 to: (1) find reason to believe that CARLOS MAY FOR CONGRESS, and ROEGER, BEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2176 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC, and HARRIS, MICHAEL F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2155 Decided by a vote of 6-0 to: (1) find reason to believe that AMODEI FOR NEVADA, and NICOLA NEILON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2158 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS TO ELECT ROBERT MARSHALL, and ROBERT MARSHALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2159 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT CHICK HEILESON TO CONGRESS, and CORBET R MISKIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2163 Decided by a vote of 6-0 to: (1) find reason to believe that DR DAN 4 CONGRESS, and BRIAN UMBARGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2164 Decided by a vote of 6-0 to: (1) find reason to believe that EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL, and WEIR, WILLIAM J as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2167 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF STEVEN WELCH, and JEFFREY MICHAEL SPARLING as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2168 Decided by a vote of 6-0 to: (1) find reason to believe that GALYEAN FOR CONGRESS, and CAULEY, CHRISTOPHER STEWART as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2169 Decided by a vote of 6-0 to: (1) find reason to believe that GUNNER DELAY FOR CONGRESS, and MICHAEL DAVID COLLINS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
September 15, 2010

Page 7

11092652871

September 15, 2010
Date

Attest:

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 2010

William J. Weir, in official capacity as Treasurer
Empire State Regional Council of Carpenters Political Action Fund - Federal
14 Saw Mill River Road
Hawthorne, NY 10532

C00208819

AF#: 2164

Dear Mr. Weir:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period through June 30, 2010, shall be filed no later than July 15, 2010. 2 U.S.C. § 434(a). You were previously notified of the due date for this report. Because records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date, it is considered not filed for the purpose of calculating the civil money penalty.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On September 15, 2010, the FEC found that there is reason to believe ("RTB") that Empire State Regional Council of Carpenters Political Action Fund - Federal and you, as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before July 15, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$10,500. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$10,500 is due within forty (40) days of the finding, or by October 25, 2010, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$663,847

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

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If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or October 25, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Empire State Regional Council of Carpenters Political Action Fund - Federal and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

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action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$10,500 for the 2010 July Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by October 25, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Empire State Regional Council of Carpenters Political Action Fund - Federal

FEC ID#: C00208819

REPORT: 2010 July Quarterly

AF#: 2164

PAYMENT DUE DATE: October 25, 2010

PAYMENT AMOUNT DUE: \$10,500

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FEC OFFICE OF
ADMIN REVIEW

2010 OCT 12 A 9 31

TERRENCE R. MOONEY C.P.A.

Certified Public Accountant

**247 NEW JERSEY AVENUE
ABSECON, NEW JERSEY 08201**

MEMBER OF
NEW JERSEY SOCIETY OF
CERTIFIED PUBLIC ACCOUNTING
September 29, 2010

AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS

Federal Election Commission
Office of Administrative Review
999 E Street, NW
Washington, DC 20463

RE: Empire State Regional Council of Carpenters, C00208819, AF# 2164

To Whom It May Concern,

We are writing to respectfully request a one-time abatement of the civil money penalties assessed to the Empire State Regional Council of Carpenters (the Council) for the late filing of the July Quarterly Report which was due July 15, 2010.

The failure to file this report was due to the fact that on April 26, 2010, the Council was placed under trusteeship by the United Brotherhood of Carpenters and Joiners of America (UBC & J). Please refer to the attached letter of trusteeship from Douglas J. McCarron, General President of the UBC & J.

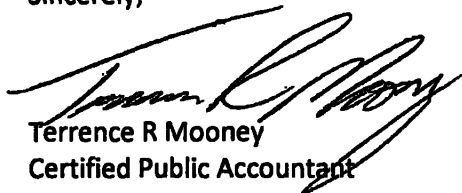
An audit of the Council's internal control procedures and accounting records was performed which resulted in the discovery of errors including a mishandling of PAC Fund contributions. The effect of the supervision of the UBC & J was the removal of all officers, trustees, and key employees and the termination of the external accounting firm. This action left only support staff intact.

One of the consequences of this general upheaval was the failure to file a timely FEC PAC July Quarterly report. The report was filed on-line on September 10, 2010 which, although late, is prior to the receipt of your letter and notice.

Based on the above facts, the complete change in officers, directors, and outside accountant, the discovery of errors, voluntary reporting of this error, and prior history of timely filing of reports, we are petitioning the Commission for an abatement of penalties.

Thank you for your consideration of this request.

Sincerely,


Terrence R Mooney
Certified Public Accountant

Enc.

11092652876



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

October 13, 2010

William J. Weir, in his official capacity as Treasurer
Empire State Regional Council of Carpenters
Political Action Fund - Federal
14 Saw Mill River Road
Hawthorne, NY 10532

C00208819
AF# 2164

Dear Mr. Weir:

On October 8, 2010, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

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**FEC OFFICE OF
ADMIN REVIEW**

2010 OCT 13 A 8 51

Date: October 13, 2010

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2164

Committee Name:

Committee ID#: C00208819

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

**Copy of RTB Circulation Report, dated September 13, 2010 and RTB
Certification, dated September 15, 2010 (Y/N): Y**

Attachment #: 1

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: 2

Telecoms and Visitcoms in Response to RTB Letter (Y/N): N

Attachment #: N/A

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 July Quarterly Report Prior Notice, dated June 21, 2010.

- Non-Filer Letter, dated August 4, 2010

-RTB Letter, dated September 21, 2010.

Attachment #: 3

Other RAD Information: (Y/N): N

Attachment#: N/A

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**Proof of Delivery**

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1ZWF5860A295140314
Service: NEXT DAY AIR
Special Instructions: ADULT SIGNATURE REQUIRED
Weight: 1.00 Lb
Shipped/Billed On: 09/21/2010
Delivered On: 09/22/2010 9:47 A.M.
Delivered To: HAWTHORNE, NY, US
Signed By: NEPPEL

Location: RECEPTION

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 09/22/2010 2:55 P.M. ET

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DECLARATION OF NATALIYA IOFFE

- 11092652880
1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
 2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Empire State Regional Council of Carpenters Political Action Fund - Federal:
 - A) Prior Notice, dated June 21, 2010, referencing the 2010 July Quarterly Report (sent via electronic mail to: WDC@EMPIRESTATECARPENTERS.ORG);
 - B) Non-Filer Letter, dated August 4, 2010, referencing the 2010 July Quarterly Report;
 - C) Reason-to-Believe Letter, dated September 21, 2010, referencing the 2010 July Quarterly Report.

I hereby certify that I have searched the Commission's public records and find that Committee Name filed the 2010 July Quarterly Report with the Commission on September 10, 2010.

3. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 13th day of October, 2010.



Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



JULY QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES
PARTIES AND PACS

June 21, 2010

CURRENT REPORT DUE

REPORT	CLOSE OF BOOKS ¹	REPORT & OVERSIGHT MAILING DEADLINE	FILING DEADLINE ²
July Quarterly	06/30/10	07/15/10	07/15/10

REPORTING SCHEDULE FOR REMAINDER OF 2010

REPORT	CLOSE OF BOOKS ¹	REPORT & OVERSIGHT MAILING DEADLINE	FILING DEADLINE ²
October Quarterly	09/30/10	10/15/10	10/15/10
Pre-General ²	10/13/10	10/18/10	10/21/10
Post-General	11/22/10	12/02/10	12/02/10
Year-End	12/31/10	01/31/11	01/31/11

Supplemental Filing Information is available:

- Congressional Committees
- Parties and PACs

¹A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

² **Parties and PACs:** required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

Congressional Committees: campaign committees of a candidate who participates in the general election must file pre-and post-general election reports.

2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010. ²

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

² If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z [PDF].

PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2010 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports.

See 11 CFR 104.5(a)(2).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates
- The Record: January 2010 issue [PDF]
- Candidate Guide, pp. 79-80 [PDF]

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically MUST submit their 48-hour notices electronically. See 11 CFR 104.5(f).

- Web Page: Electronic Filing Page
- Web Page: Link to Paper Forms (for downloading and printing)
- Form 6 Fax numbers
 - Senate campaigns (Secretary of the Senate): (202) 224-1851
 - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate Guide, p. 80 [PDF]

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³

See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Candidate Guide, p. 79 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

2010 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2010. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

Paper Filing -- Meeting the Filing Deadline

Paper report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

COMPLIANCE

Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.30.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF].

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the covered period (see page 1 of this notice).

See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]
- Campaign Guide: Party, pp. 143-149 [PDF]

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2010 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure. See 11 CFR 104.4.

- Web Page: 48- and 24-hour periods for independent expenditures for 2010 elections
- Campaign Guide: Nonconnected, pp. 72-74 [PDF]; SSF, pp. 65-67 [PDF]; Party, pp. 87-89 [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 4, 2010

RQ-7

WILLIAM J WEIR, TREASURER
EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL
14 SAW MILL RIVER ROAD
HAMMIDON, NY 10532

IDENTIFICATION NUMBER: C00208819

REFERENCE: JULY QUARTERLY REPORT 4/1/2010 - 6/30/2010

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 989 E STREET, N.W., WASHINGTON, D.C., 20463. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. A COPY OF THE REPORT OR RELEVANT PORTIONS MUST ALSO BE FILED WITH THE SECRETARY OF THE STATE OR EQUIVALENT STATE OFFICIALS UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

Debbie Chacora

DEBBIE CHACORA
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

10030402321
11092652887



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2010 DEC -9 P 3: 50

SENSITIVE

December 9, 2010

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2164 – Empire State Regional Council of Carpenters Political Action Fund – Federal and William J. Weir, in his official capacity as Treasurer (C00208819)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

11092652888



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 9, 2010

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

**AF# 2164 – Empire State Regional Council of Carpenters Political Action Fund - Federal and
William J. Weir, in his official capacity as Treasurer (C00208819)**

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$3,850 civil money penalty.

Reason-to-Believe Background

On September 15, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report and made a preliminary determination that the civil money penalty was \$10,500 based on the schedule of penalties at 11 C.F.R. § 111.43. The Reports Analysis Division ("RAD") notified the respondents of the Commission's RTB finding and civil money penalty on September 21, 2010.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee that is not the authorized committee of a candidate shall file a report for the period ending June 30 no later than July 15. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on the prescribed filing date to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5 (e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

The Commission received the written response ("challenge") from Terrence R. Mooney, a Certified Public Accountant representing the respondents, requesting that the Commission abate the fine. The respondents state that their failure to file a timely July Quarterly Report was due the Committee's having been placed under the trusteeship of the United Brotherhood of Carpenters and Joiners of America ("UBC & J") on April 26, 2010. A subsequent audit of the Committee's internal controls and accounting records revealed errors, including the mishandling of PAC Fund contributions. The effect of the trusteeship included the removal of all key employees, officers and trustees, as well as the termination of the PAC's external accounting firm, and as a consequence, they failed to timely file the report.

Included in the challenge is a copy of a letter from UBC & J's General President dated April 26, 2010, a copy of a portion of UBC & J's Constitution, and page one of the respondents' RTB letter

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Analysis

The July Quarterly Report was filed on September 10, 2010, 57 days late.

Following the Committee's placement under trusteeship of UBC & J on April 26, nearly three months before the July 15 due date, errors were discovered in an audit of the Committee and several key persons were terminated, including the respondents' accounting firm. It appears that the respondents' failure to timely file the report was due to the unavailability of previous staff, the inexperience of new staff, the termination of their external accountants, and the negligence of previous staff and accountants.

Negligence, delays caused by committee vendors or contractors (e.g., accountants), and inexperience or unavailability of the treasurer or other staff are enumerated in 11 C.F.R. § 111.35(d) as circumstances that will not be considered reasonably unforeseen and beyond the control of the respondents. Additionally, the regulations are clear that the Treasurer shall be personally responsible for the timely and complete filing of reports, as well as the accuracy of the information they contain. 11 C.F.R. § 104.14(d). According to Commission records, the respondents' current Treasurer was designated in a March 29 amended Statement of Organization, and was therefore in place prior to both the implementation of the trusteeship and the July 15 due date of the July Quarterly Report.

Under the administrative fine regulations, one of the criteria used to calculate the civil money penalty is the level of activity. At the time of the RTB finding, the level of activity disclosed on the respondents' July Quarterly Report was \$663,847. On December 2, 2010, the respondents filed an amended July Quarterly Report disclosing total receipts of \$63,218 and total disbursements of \$14,241, resulting in an amended level of activity of \$77,459. Based on the schedule of penalties at 11 C.F.R. § 111.43(a) for a non-election sensitive report that is considered not filed, with a level of activity of \$75,000 - \$99,999.99, for respondents with no previous violations, the amount of the civil money penalty is $\$3,850 \times [1 + (.25 \times 0)]$ or \$3,850, reduced from the RTB civil money penalty of \$10,500.

The other issues raised in the challenge (the voluntary reporting of errors and prior history of timely filing) do not fall within the list of defenses enumerated at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Accordingly, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,850.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2164 involving Empire State Regional Council of Carpenters Political Action Fund - Federal and William J. Weir, in his official capacity as Treasurer, in making the final determination;

11092652890

- (2) Make a final determination in AF# 2164 that Empire State Regional Council of Carpenters Political Action Fund - Federal and William J. Weir, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,850; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents

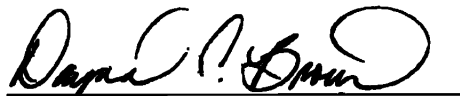
Attachment 2 – Declaration from RAD

Attachment 3 – Declaration from OAR

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DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commissinn"). In my oapacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 July Quarterly Report is due July 15, 2010. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on July 15 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - (a) Pages 1 and 3 of the Statement of Organization for Empire State Regional Council of Carpenters Pnltleal Action Fund - Federal and Willism J. Weir, in his nfficial capacity as Treasurer. According to the Cammission's records, the document is dated March 29, 2010 and was received on March 29, 2010. Line 8 lists William J. Weir as Treasurer; and
 - (b) Page 1 of the Summary Page and Pages 3 and 4 of the Detailed Summary Page for the 2010 July Quarterly Report filed electronically by Empire State Regional Council of Carpenters Political Action Fund - Federal and William J. Weir, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2010 and was recolved on September 10, 2010. Line 19, Column A lists \$642,978.69 in total receipts for this period. Line 31, Column A lists \$20,867.53 in total disbursements for this period; and
 - (c) Page 1 of the Summary Page and Pages 3 and 4 of the Detailed Summary Page for the amended 2010 July Quarterly Report filed electronically by Empire State Regional Council of Carpenters Political Action Fund - Federal and William J. Weir, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2010 and was received on December 2, 2010. Line 19, Column A lists \$63,218.54 in total receipts for this period. Line 31, Column A lists \$14,241.19 in total disbursements for this period.
4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 9th of December, 2010.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

11092652892

**FEC
FORM 1****STATEMENT OF
ORGANIZATION**

(See instructions)

Office use only

1. NAME OF
COMMITTEE (in full)(Check if name
is changed)Example: If typing, type
over the lines

12FE4M5

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FE-

ADDRESS (number and street)

14 SAW MILL RIVER ROAD

(Check if address
is changed)

HAWTHORNE

NY

10532

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

X (Check if address
is changed)

wdc@empirestatecarpenters.org

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address
is changed)2. DATE M M / D D / Y Y Y Y
03 / 15 / 2010

3. FEC IDENTIFICATION NUMBER

C C00208819

4. IS THIS STATEMENT X NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete

Type or Print Name of Treasurer

WILLIAM J WEIR

Signature of Treasurer

Electronically Filed by WILLIAM J WEIR

Date

M M / D D / Y Y Y Y
03 / 29 / 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

Office
Use
OnlyFor further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100**FEC FORM 1**
(Revised 02/2009)

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Write or Type Committee Name

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL

Mailing Address

14 SAW MILL RIVER ROAD**HAWTHORNE****NY****10532**

CITY ▲

STATE ▲

ZIP CODE ▲

Relationship:

☒ Connected Organization☐ Affiliated Committee☐ Joint Fundraising Representative☐ Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address, (phone number -- optional), and position of the person in possession of Committee books and records.

Full Name

MICHELLE LOVETT

Mailing Address

14.SAW MILL RIVER ROAD**HAWTHORNE****NY****10532**

Title or Position ▼

CITY ▲

STATE ▲

ZIP CODE ▲

BOOKKEEPERTelephone number **914** - **592** - **0100**

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name
of Treasurer**WILLIAM J WEIR**

Mailing Address

1284 CENTRAL AVENUE**ALBANY****NY****12205**

Title or Position ▼

CITY ▲

STATE ▲

ZIP CODE ▲

TREASURERTelephone number **518** - **459** - **7182**

11092652894

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINTExample: If typing, type
over the lines

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL

ADDRESS (number and street)

14 SAW MILL RIVER ROAD

Check if different
than previously
reported. (ACC)

HAWTHORNE

NY

10532

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00208819

3. IS THIS
REPORT

X

NEW
(N) ORAMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

X April 15
Quarterly Report (Q1)July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)January 31
Quarterly Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of(d) 30-Day
Post-Election
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

04

01

2010

through

06

30

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

WILLIAM J WEIR

Signature of Treasurer

Electronically Filed by WILLIAM J WEIR

Date

09

10

2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3X**
(Rev. 12/2004)

**DETAILED SUMMARY PAGE
OF RECEIPTS**

FEC Form 3X (Rev. 06/2004)

3 / 8

Write or Type Committee Name

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL

Report Covering the Period: From: ^M0 ^M4 ^D0 ^D1 ^Y20 ^Y10 ^Y0 To: ^M0 ^M6 ^D3 ^D0 ^Y20 ^Y10 ^Y0

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(i) Itemized (use Schedule A)		
(ii) Unitemized	72643.25	152643.25
(iii) TOTAL (add Lines 11(a)(i) and (ii) ➤	72643.25	152643.25
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b) and (c)) (Carry Totals to Line 33, page 5) ➤	72643.25	152643.25
12. Transfers From Affiliated/Other Party Committees	565733.70	565733.70
13. All Loans Received	0.00	0.00
14. Loan Repayments Received	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5)	3036.88	3036.88
16. Refunds of Contributions Made to Federal candidates and Other Political Committees	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.)	1564.86	1564.86
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3)	0.00	0.00
(b) Levin Funds (from Schedule H5)	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b)).	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c))	642978.69	722978.69
20. Total Federal Receipts (subtract Line 18(c) from Line 19)	642978.69	722978.69

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DETAILED SUMMARY PAGE of Disbursements

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FEC Form 3X (Rev. 02/2003)

II. DISBURSEMENTS		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:			
(a) Shared Federal/Non-Federal Activity (from Schedule H4)			
(i) Federal Share.....	0.00	0.00	
(ii) Non-Federal Share.....	0.00	0.00	
(b) Other Federal Operating Expenditures.....	14483.14	56701.39	
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii) and (b))..... ➤	14483.14	56701.39	
22. Transfers to Affiliates/Other Party Committees.....	0.00	0.00	
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00	
24. Independent Expenditure (use Schedule E).....	0.00	0.00	
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F).....	0.00	0.00	
26. Loan Repayments Made.....	0.00	0.00	
27. Loans Made.....	0.00	0.00	
28. Refunds of Contributions To:			
(a) Individuals/Persons Other Than Political Committees	6384.39	6384.39	
(b) Political Party Committees	0.00	0.00	
(c) Other Political Committees (such as PACs)	0.00	0.00	
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))	6384.39	6384.39	
29. Other Disbursements.....	0.00	0.00	
30. Federal Election Activity (2 U.S.C 431(20))			
(a) Shared Federal Election Activity (from Schedule H6)			
(i) Federal Share	0.00	0.00	
(ii) "Levin" Share	0.00	0.00	
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00	
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))....	0.00	0.00	
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..	20867.53	63085.78	
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	20867.53	63085.78	

11092652897

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINTExample: If typing, type
over the lines

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL

ADDRESS (number and street)

14 SAW MILL RIVER ROAD

Check if different
than previously
reported. (ACC)

HAWTHORNE

NY

10532

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00208819

3. IS THIS
REPORTNEW
(N)

OR

X

AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

X

April 15
Quarterly Report(Q1)July 15
Quarterly Report(Q2)October 15
Quarterly Report(Q3)January 31
Quarterly Report(YE)July 31 Mid-Year
Report(Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of(d) 30-Day
Post -Election
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

04

01

2010

through

06

30

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

WILLIAM J WEIR

Signature of Treasurer

Electronically Filed by WILLIAM J WEIR

Date

12

02

2010

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3X**
(Rev. 12/2004)

**DETAILED SUMMARY PAGE
OF RECEIPTS**

FEC Form 3X (Rev. 06/2004)

3 / 7

Write or Type Committee Name

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - FEDERAL

Report Covering the Period: From: ^M0 ^M4 ^D0 ^D1 ^Y2 ^Y0 ^W1 ^Y0 To: ^M0 ^M6 ^D3 ^D0 ^Y2 ^Y0 ^W1 ^Y0

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A)	0.00	0.00
(ii) Unitemized	60181.66	140181.66
(iii) TOTAL (add Lines 11(a)(i) and (ii) ▶	60181.66	140181.66
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contributions (add Lines 11(a)(ii), (b) and (c)) (Carry Totals to Line 33, page 5) ▶	60181.66	140181.66
12. Transfers From Affiliated/Other Party Committees	0.00	0.00
13. All Loans Received	0.00	0.00
14. Loan Repayments Received	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5)	3036.88	3036.88
16. Refunds of Contributions Made to Federal candidates and Other Political Committees	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.)	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3)	0.00	0.00
(b) Levin Funds (from Schedule H5)	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b))	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c))	63218.54	143218.54
20. Total Federal Receipts (subtract Line 18(c) from Line 19)	63218.54	143218.54

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DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)

4 / 7

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Shared Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share.....	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures.....	13983.09	56201.34
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii) and (b))..... ➤	13983.09	56201.34
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditure (use Schedule E).....	0.00	0.00
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees.....	258.10	258.10
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))..... ➤	258.10	258.10
29. Other Disbursements.....	0.00	0.00
30. Federal Election Activity (2 U.S.C 431(20))		
(a) Shared Federal Election Activity (from Schedule H6)		
(i) Federal Share.....	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds.....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..	14241.19	56459.44
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	14241.19	56459.44



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

December 14, 2010

William J. Weir, in his official capacity as Treasurer
Empire State Regional Council of Carpenters Political
Action Fund - Federal
14 Saw Mill River Road
Hawthorne, NY 10532

C00208819
AF# 2164

Dear Mr. Weir:

On September 15, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Burton for Congress and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$10,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 2, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

Attachment

11092652901



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2011 JAN -3 A 11: 06

January 3, 2011

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2164 – Empire State
Regional Council of Carpenters Political Action Fund – Federal and
William J. Weir, in his official capacity as Treasurer (C00208819)

On September 15, 2010, the Commission found reason to believe (“RTB”) that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report and also made a preliminary determination that the civil money penalty was \$10,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

On October 12, 2010, the Office of Administrative Review received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer’s recommendation dated December 9, 2010 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$3,850 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the Reviewing Officer’s recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

11092652902

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2164 involving Empire State Regional Council of Carpenters Political Action Fund - Federal and William J. Weir, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2164 that Empire State Regional Council of Carpenters Political Action Fund - Federal and William J. Weir, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the level of activity disclosed on the amended July Quarterly Report, assess a civil money penalty of \$3,850 (reduced from the RTB civil money penalty of \$10,500);
- (3) Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2164
Empire State Regional Council of)
Carpenters Political Action Fund -)
Federal and William J. Weir, in his)
official capacity as Treasurer)
(C00208819))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on January 20, 2011, the Commission
decided by a vote of 6-0 to take the following actions in AF 2164:

1. Adopt the Reviewing Officer recommendation for AF 2164 involving
Empire State Regional Council of Carpenters Political Action Fund –
Federal and William J. Weir, in his official capacity as Treasurer, in
making the final determination.
2. Make a final determination in AF 2164 that Empire State Regional
Council of Carpenters Political Action Fund – Federal and William J.
Weir, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a)
and, based on the level of activity disclosed on the amended July
Quarterly Report, assess a civil money penalty of \$3,850 (reduced
from the RTB civil money penalty of \$10,500).
3. Send the appropriate letter.

11092652904

Federal Election Commission
Certification on AF 2164
January 20, 2011

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and

Weintraub voted affirmatively for the decision.

Attest:

January 21, 2011
Date

Shawn Woodhead-Werth
Shawn Woodhead-Werth
Secretary and Clerk of the Commission

11092652905



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 4, 2011

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William R. Banfield, in his official capacity as Treasurer
Empire State Regional Council of Carpenters
Political Action Fund-Federal
14 Saw Mill River Road
Hawthorne, NY 10532

C00208819
AF# 2164

Dear Mr. Banfield:

On September 15, 2010 the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Empire State Regional Council of Carpenters Political Action Fund-Federal and William J. Weir, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely file the 2010 July Quarterly Report. By letter dated September 21, 2010, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$10,500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On October 12, 2010, the Office of Administrative Review received the written response ("challenge") from Terrence R. Mooney, CPA, challenging the RTB finding and civil money penalty, on behalf of the respondents.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the challenge. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated based on the level of activity disclosed on the report filed on September 10, 2010, make a final determination that Empire State Regional Council of Carpenters Political Action Fund-Federal and William J. Weir, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the amended July Quarterly Report filed December 2, 2010 (\$77,459), assess a civil money penalty in the amount of \$3,850 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent on December 14, 2010 and is included herein as a reference.

On January 20, 2011, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Empire State Regional Council of Carpenters Political Action Fund-Federal and William J. Weir, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a), and based on the level of activity disclosed on the Amended 2010 July Quarterly Report (\$77,459), assessed a civil money penalty of \$3,850. It is based on the same factors used to calculate the civil money penalty at RTB except that the amended rather than original level of activity was used. A copy of the final determination memorandum is attached.

11092652906

If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). The failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

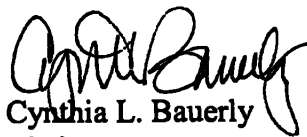
If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

Attachments

Attachment 1 – Final Determination Report

Attachment 2 – Final Determination Memorandum

11092652908

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$3,850 for the 2010 July Quarterly Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Empire State Regional Council of Carpenters Political Action Fund-Federal

FEC ID#: C00208819

AF#: 2164

PAYMENT AMOUNT DUE: \$3,850

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Empire State Regional Council of Carpenters Political Action Fund-Federal

FEC ID#: C00208819

AF#: 2164

PAYMENT AMOUNT DUE: \$3,850

3

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000385000 BA# 1 02-24-11 20 4



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The Bancorp. Company

EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - N.Y.S. 34 SPINELL RIVER ROAD HAWTHORNE, NEW YORK 10532		FIRST-TRADE UNION BANK <small>Capital, Creditable, Convenient</small> 50-1412-214	10791
PAY TO THE ORDER OF	FEDERAL ELECTION COMMISSION	2/18/2011	
Three Thousand Eight Hundred Fifty and 00/100		\$ **3,850.00	DOLLARS
FEDERAL ELECTION COMMISSION P.O. BOX 979058 ST. LOUIS, MO 63197-9000		EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS POLITICAL ACTION FUND - N.Y.S. AUTHORIZED SIGNATURE	
MEMO	FEC ID# C00208819 AF# 2164		

